

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA

AUSTIN WAYNE BYRD,)
Plaintiff,)
v.) 1:23CV320
NC DEPARTMENT OF HEALTH)
AND HUMAN SERVICES,)
Defendants.)

JUDGMENT

The Recommendation of the United States Magistrate Judge was filed with the Court in accordance with 28 U.S.C. § 636(b) and on February 14, 2024, was served on the parties in this action. (ECF Nos. 15, 16.) No objections were filed within the time prescribed by § 636.

The Court hereby adopts the Magistrate Judge's Recommendation.

IT IS HEREBY ORDERED AND ADJUDGED that this action is **DISMISSED** pursuant to 28 U.S.C. § 1915(e)(2)(B)(ii) for failing to state a claim.

This, the 11th day of March 2024.

/s/ Loretta C. Biggs
United States District Judge